

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Georg Hasselmann on 1/28/09.

The application has been amended as follows:

In claim 1, line 4, "catalyst not" has been substituted by --catalyst, not--.

In claim 1, line 5, "heteropolyacids and" has been substituted by --heteropolyacids, and--.

In claim 5, line 3, " WO_x/ZrO_2 ." has been substituted by -- WO_x/ZrO_2 , wherein x is from 2 to 3.--.

Allowable Subject Matter

Claims 1-13 and 15-19 are allowed.

The following is an examiner's statement of reasons for allowance: The closest prior art of record Eller *et al.* (US 6,362,312) discloses a process for preparing polytetrahydrofuran {PTHF} (1:5-12) comprising polymerizing tetrahydrofuran in the presence of at least one telogen and an acid-activated calcium motmorillonite {sheet silicate} catalyst (2:46-59), in a circulation reactor wherein the ratio of circulation {8 l/h} to feed {60 ml/h} is about 133:1 {as calculated by examiner} (4:56-58; 6:50-67), but does not disclose a fluidized bed reactor.

Funk *et al.* (US 6,043,338 discloses a fluidized bed reactor, wherein catalyst can be added (7:56-67) or removed (10:17-28) to and from the reactor without disrupting the process or

dismantling the reactor (Fig. 13); and that the feedstock is introduced to the reactor in an upward fashion (7:32-40 and Fig. 2). Funk *et al.* (US '338) also discloses the catalyst space velocity values fall between 0.2 and 20 per hr (5:39-43) and the superficial velocity of 1 to 12 m per hr (8:45-47). Funk *et al.* (US '338) does not disclose fluidized bed parameters for the production of polytetrahydrofuran, and merely discloses general parameters for fluidized bed operation for gas phase oxidation of naphtha feedstocks.

While the Ergun equation states that the flow rate {velocity} and density of the feedstock {fluid}, the specific gravity, size, porosity, and amount of particles, as well the bed height can be calculated to achieve an expanded fluidized bed [fluidization is adequate to circulate and intimately mix the solid catalyst particles with the fluid, and to ensure that the flow rate does not exceed a certain limit as to destabilize the fluidized bed {slug flow} or cause the solid particles to flow out of the reactor with the product {PTHF} {terminal velocity}; and the expansion factor $\{H/H_o\}$ is determined by the height of the fluidized bed (H) and the height of the stationary bed (H_o)], there is no guidance in the disclosure of Funk *et al.* (US '338) to achieve such process parameters for the production of polytetrahydrofuran in a fluidized bed. Such process parameters can only be obtained from improper hindsight reconstruction of the claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL PEPITONE whose telephone number is (571)270-3299. The examiner can normally be reached on M-F, 7:30-5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Eashoo can be reached on 571-272-1197. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Mark Eashoo/
Supervisory Patent Examiner, Art Unit 1796

MFP
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